

91st Legislative Session – 2016

Committee: House Local Government

Thursday, February 04, 2016

P - Present
E - Excused
A - Absent

Roll Call

P Brunner
P Craig
P Greenfield (Lana)
P Hawks
P Heinemann (Leslie)
P Marty
P Qualm
P Rozum
P Schoenfish
P Soli
P Tulson
P Otten (Herman), Vice-Chair
P Conzet, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Kristin Conzet.

MOTION: TO APPROVE THE MINUTES OF FEBRUARY 2, 2016 MINUTES

Moved by: Hawks
Second by: Craig
Action: Prevailed by voice vote.

HB 1106: exempt certain trees from requirements related to the removal of vegetation and debris from township road rights-of-way and to extend general immunity from certain civil liability for trees located in the township road right-of-way.

Presented by: Representative Hunt (Handouts: #1)
Proponents: Matt Staab, Brandon, self

Jennifer Schmidtbauer, Brandon, South Dakota, self (Handouts: #2)
Deb Klebanoff, Baltic, South Dakota, self
Mark Schmidtbauer, Brandon, South Dakota, self
Stacy DeBoer, Brandon, South Dakota, self
Opponents: Richard Howard, SD Association of Towns and Townships
Darla Pollman-Rogers, South Dakota Rural Electric Association
James Puffer, SD Association of Towns and Townships
Darwin Bettmann, SD Association of Towns and Townships
Greg Dean, South Dakota Telecommunications Association
Roger Tellinghuisen, South Dakota Association of County Commissioners
Pamela Bonrud, Northwestern Energy

MOTION: AMEND HB 1106

1106fb

On page 1, line 13, of the printed bill, after "years" insert "unless a change in the structure of the tree due to age, or by environmental elements or other causes, causes the tree to become a danger to person or property".

On page 1, delete line 15.

On page 2, delete lines 1 to 12, inclusive.

Moved by: Qualm
Second by: Craig
Action: Prevailed by voice vote.

MOTION: AMEND HB 1106

1106ya

On page 2 of the printed bill, delete lines 13 to 16, inclusive.

Moved by: Qualm
Second by: Marty
Action: Prevailed by roll call vote. (7-6-0-0)

Voting Yes: Brunner, Craig, Hawks, Marty, Qualm, Schoenfish, Soli

Voting No: Greenfield (Lana), Heinemann (Leslie), Rozum, Tulson, Otten (Herman), Conzet

MOTION: DEFER HB 1106 TO THE 41ST LEGISLATIVE DAY

Moved by: Heinemann (Leslie)

Second by: Qualm

Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DO PASS HB 1106 AS AMENDED

Moved by: Hawks

Second by: Craig

Action: Failed by roll call vote. (4-9-0-0)

Voting Yes: Craig, Hawks, Soli, Otten (Herman)

Voting No: Brunner, Greenfield (Lana), Heinemann (Leslie), Marty, Qualm, Rozum, Schoenfish, Tulson, Conzet

THE MOTION TO DEFER HB 1106 TO THE 41ST LEGISLATIVE DAY

Moved by: Heinemann (Leslie)

Second by: Qualm

Action: PREVAILED BY ROLL CALL VOTE. (9-4-0-0)

Voting Yes: Brunner, Greenfield (Lana), Heinemann (Leslie), Marty, Qualm, Rozum, Schoenfish, Tulson, Conzet

Voting No: Craig, Hawks, Soli, Otten (Herman)

SB 2: revise the distribution of the revenue from the alcoholic beverage fund.

Presented by: Representative Heinemann (Leslie)

Proponents: Senator Ewing

Eric Erickson, South Dakota Association of County Commissioners

Carol Muller, Minnehaha County Commission

Staci Ackerman, South Dakota Sheriffs Association

Ray Clements, Jr., Kadoka, South Dakota, self

Kevin Schurch, Redfield, South Dakota, self

Rick Veldkamp, Trent, South Dakota, self

Duane Sutton, Brown County Commission

Paul Bachand, States Attorney Association

Michael Held, South Dakota Farm Bureau
Yvonne Taylor, SD Municipal League
Tom Tveit, Hughes County Commissioner
Opponents: Jim Terwilliger, Bureau of Finance & Management

MOTION: DO PASS SB 2

Moved by: Greenfield (Lana)
Second by: Soli
Action: Prevailed by roll call vote. (13-0-0-0)

Voting Yes: Brunner, Craig, Greenfield (Lana), Hawks, Heinemann (Leslie), Marty, Qualm,
Rozum, Schoenfish, Soli, Tulson, Otten (Herman), Conzet

MOTION: ADJOURN

Moved by: Tulson
Second by: Marty
Action: Prevailed by voice vote.

Shirley Ellwein
Committee Secretary

Kristin A. Conzet, Chair